

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

CHRISTOPHER D'AMORE, individually and
on behalf of a class of participants in the
University of Rochester Retirement Program,

Plaintiff,

v.

**UNIVERSITY OF ROCHESTER,
UNIVERSITY OF ROCHESTER
RETIREMENT PLAN COMMITTEE, and
JOHN DOES 1-30,**

Defendants.

Civil Action No. 6:18-cv-06357-MAT

NOTICE OF VOLUNTARY DISMISSAL OF ACTION

Pursuant to the provisions of Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiff Christopher D'Amore, by and through his undersigned counsel, voluntarily dismisses with prejudice the above entitled action, with each party to bear its own fees and costs.

No opposing party has served either an answer or a motion for summary judgment in the present case. No opposing party has filed a counterclaim, nor has any opposing party filed any motion adverse to the interests of Plaintiff herein.

Dated: January 21, 2019

By: /s/ Edwin J. Kilpela _____
Edwin J. Kilpela
CARLSON LYNCH SWEET
KILPELA & CARPENTER LLP
1133 Penn Ave., 5th Floor
Pittsburgh, Pennsylvania 15222
Telephone: (412) 322-9243
Facsimile: (412) 231-0246
ekilpela@carlsonlynch.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Voluntary Dismissal of Action was electronically filed with the Clerk of the Court using the CM/ECF system on January 21, 2019, which will send notification of the filing to all counsel of record.

By: /s/ Edwin J. Kilpela